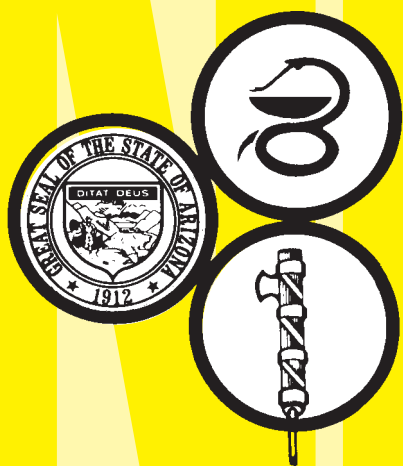


October 2000



NEWS

Arizona State Board of Pharmacy

Published to promote voluntary compliance of pharmacy and drug law.

4425 W Olive Ave, Suite 140, Glendale, AZ 85302

Office Relocation Update

As reported in the July issue, the Arizona State Board of Pharmacy office has moved; effective August 1, 2000, the Board's new address is 4425 W Olive Ave, Suite 140, Glendale, AZ 85302-3844. Our phone numbers have also changed: the main office number is 623/463-2727 (ASBP) and the new fax number is 623/934-0583. Incidentally, the last seven digits of our main telephone number are IND (as in investigational new drug) ASBP (as in Arizona State Board of Pharmacy). This number is both helpful and clever...right? The bad news is that the Board e-mail is not yet set up; however, the Board's home page has not changed and is accessible at www.pharmacy.state.az.us. Check the Web page for Board meeting minutes, state pharmacy practice act, existing Board administrative regulations (rules), and proposed regulations (rules). Without an Internet Service Provider (ISP), we have been unable to make changes to the Web page since we moved. We have been told the ISP will be connecting us during the first week of September. I realize that you are reading this in October; however it is being written at the end of August, and the ISP folks have already rescheduled our connection date twice.

Congratulations to **Zina S. Berry, RPh**. In July 2000 Zina became a Certified Geriatric Pharmacist (CGP).

Administrative Rule Changes

Pharmacy Computer Systems: changes occur mainly in section R4-23-408, with minor changes in R4-23-402 and R4-23-407. This article will only highlight the changes and encourage readers to refer to the complete text on our Web page. Much of R4-23-408.A. existing language has been deleted. New language requiring an operation/policies and procedures manual for the particular computer are required to be in the pharmacy. In the past, a new pharmacy computer system was required to be "approved" prior to being used for certain recordkeeping procedures; currently, a "new" pharmacy computer may be used immediately for prescription recordkeeping functions. Board of Pharmacy compliance staff will ask for performance demonstrations of new computers to ensure that systems are in compliance with state and federal requirements. An issue, not previously covered, is now addressed. At the request of a Board of Pharmacy compliance officer, the pharmacist-in-charge (PIC) is required to provide documentation necessary to identify the specific individual pharmacist or pharmacy intern who is responsible for dispensing a particular prescription. Previously, many systems would use the initials of the first pharmacist to log on at the start of a particular business day as the dispensing pharmacist for all prescriptions dispensed the entire

day. The revised rule also clearly specifies that, during periods when the computer is not functioning, all the requirements of a manual system will be followed.

The controlled substance rules found at R4-23-1000 (and following pages) have been amended to delete unnecessary sections and to clarify existing sections determined to be vague or confusing. For example, the details of properly taking and recording a controlled substance inventory are elaborated. The rule now specifies that controlled substance inventories shall indicate the time of day they were performed, ie, "start of business" or "end of business" and specifies that all controlled substance inventories shall be signed by the PIC or other pharmacist responsible for the inventory.

Consistent with controlled substance inventory, yet in another area of controlled substance regulation, the question frequently comes to the Board staff: "What information on a controlled substance prescription, not provided by the prescriber, is a pharmacist authorized to enter?" For the purpose of discussion, assume that you are on duty in a community pharmacy on a Saturday morning and a prescription for a Schedule III opiate/APAP combination product is presented for you to fill. The drug strength is specified as is the number of dosage units and the directions for use. The prescription is written on an emergency room blank from a local hospital and is dated as being issued on the day previous to being presented for filling. Missing are the patient's name, the patient's address, the precise dosage form to be dispensed, the Drug Enforcement Administration (DEA) number of the prescriber, and any reference to refilling the order. Without violating state or federal law, what information can the pharmacist enter on the prescription? As reported in the 35th edition of *Pharmacy Law Digest*, the DEA has interpreted the regulation (21CFR1306.05) to allow the pharmacist to insert required but missing information on the prescription, even after it is signed, providing the pharmacist is not allowed to place the prescriber's signature on a written CII prescription. Therefore, in the example above, the pharmacist may enter all the missing information *and assume that, because no refills were authorized, no refills may be dispensed without contacting the prescriber prior dispensing.*

A footnote or two for your consideration: when in doubt, err on the conservative side. In an emergency, call the Board of Pharmacy and ask to speak with a compliance officer, the deputy director, or the director. If you are not acquainted with the patient, ask for photo ID before dispensing a controlled substance. The public is accustomed to supplying photo IDs when writing checks, and the legitimate patient should readily cooperate with this request.

More on Controlled Substance Compliance

Pursuant to recent changes in the Arizona Department of Public Safety (DPS) and the US Drug Enforcement Administration (DEA), the controlled substance prescription diversion task force has been disbanded. We all know that the inappropriate prescribing of controlled substances is an ongoing concern of law enforcement and a long standing bugaboo for pharmacists. Lacking the disbanded task force, pharmacists faced with known or suspected, forged or altered, controlled substance prescriptions are advised to contact a local law enforcement agency using the "911" emergency number. Tell the dispatcher that you have a "felony controlled substance prescription crime in progress." An officer should be dispatched promptly.

Administrative rule R4-23-603.E has been amended to accommodate a legislative change approved by the 2000 Arizona Legislature, allowing nonprescription drugs (other than pseudoephedrine, phenylpropanolamine, norpseudoephedrine and phenylephrine) to be distributed through mechanical vending machines. The rule establishes the parameters within which such products may be sold and conditions or venues where this distribution may not take place. Approved nonprescription drug vending machines will be required to display a current permit from the Arizona Board of Pharmacy. For further information on this topic contact the Board office.

Reminders

The final scheduled Board of Pharmacy meeting for the calendar year is November 8-9 in the conference room of the new Board office. Maximum audience seating in this room is 35-40 persons, so plan accordingly. The meeting will begin at 8 AM.

With pharmacy school back in session, and with the addition of the second pharmacy school in Arizona, the number of interns has dramatically increased. This is a reminder to pharmacist-preceptors to first, remember to verify that each intern on rotation in your pharmacy has a current, in-good-standing Arizona Pharmacy Intern License. If you have any concerns relevant to a particular license, call the Board of Pharmacy and ask for a license verification person. Second, part of precepting is teaching; please take this opportunity to emphasize to students the importance of submitting intern hours and mailing address changes to the Board office in a timely manner, ie, the first of January, April, July, and October for intern hours and within 10 days notify the board of a change of mailing address.

Disciplinary Actions

Board of Pharmacy

Alberston's, #958, monetary penalty (fine), expired nonprescription drugs offered to the public.

Sandran J. Williams, RPh #10026, license revoked, multiple practice violations.

Board of Osteopathic Examiners in Medicine and Surgery

Jon Austin, DO #3510, license summarily suspended August 19, 2000.

S. Foster Easley III, DO #3212, license suspended indefinitely as of August 22, 2000.

Basem Meri, DO #3370, license suspended indefinitely as of August 22, 2000.

Marilyn Wells, DO #2111, license summarily suspended August 23, 2000.

George Weldon Williams, DO #2413, license suspended one year effective June 15, 2000.

Board of Dental Examiners

A.G. William Gerla, DDS #3359, voluntarily surrendered license-letter dated May 22, 2000.

J. Barton Thompson, DDS #1366, voluntarily surrendered license-letter dated May 22, 2000.

Board of Medical Examiners

Pamela J. Brandt, MD #24096, license suspended and DEA CII and CIII privileges to be terminated effective per board order dated May 3, 2000.

William L. Roberts, MD #11971, voluntarily surrendered license effective June 27, 2000.

Notice: Before making a prescription dispensing decision pursuant to information reported in this issue, you are encouraged to verify the current condition of a license with the appropriate licensing agency board).

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